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Fifth Session

SUMMARY RECORD OF THE HUNDRED AND THIRD MEETING

Held at Headquarters, New York,
on Friday, 14 March 1952, at 3 p.m.

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| <u>Chairman:</u> | AZMI Bey | (Egypt) |
| <u>Members:</u> | Mr. BINDER | (United States of America) |
| | Mr. P. H. CHANG | (China) |
| | Mr. GERAUD | (France) |
| | Mr. LOPEZ | (Philippines) |
| | Mr. MOULIK | (India) |
| | Mr. PLEIC | (Yugoslavia) |
| | Mr. POLLERI CARRIO | (Uruguay) |
| | Mr. SILVA CARVALLO | (Chile) |
| | Mr. WAITHMAN | (United Kingdom of Great Britain and Northern Ireland) |
| | Mr. ZONOV | (Union of Soviet Socialist Republics) |

Representative of a specialized agency:

Mr. CARNES

United Nations Educational,
Scientific and Cultural Organization
(UNESCO)

Representatives of non-governmental organizations:

Category B:

Mr. LEWIN

Agudas Israel World Organization

On Register:

Mr. NAGORSKI }
Mr. MOSSIN }

International Federation of Free
Journalists

Secretariat:

Mr. HUMPHREY

Representative of the Secretary-General

Mr. EEK

Secretary of the Sub-Commission

SUGGESTIONS CONCERNING THE FUTURE WORK OF THE UNITED NATIONS IN THE FIELD
OF FREEDOM OF INFORMATION (ECONOMIC AND SOCIAL COUNCIL RESOLUTION 414 B III (XIII))
(E/CN.4/Sub.1/157 and E/CN.4/Sub.1/158)

The CHAIRMAN informed the Sub-Commission that the Secretary-General had just received three communications, from the Canadian, French and Indian Governments respectively, in reply to his appeal to all governments for suggestions concerning the future work of the United Nations in the field of freedom of information. The communication from the Indian Government had been circulated as document E/2178. The other two communications would be issued shortly in the same form. However, he would ask the Secretary of the Sub-Commission to read them so that members could acquaint themselves with their contents without delay.

Mr. EEK (Secretary of the Sub-Commission) read the communications from the Canadian and French Governments.

In accordance with the decision taken at the previous meeting the CHAIRMAN called upon the representative of the International Federation of Free Journalists.

/Mr. NAGORSKI

Mr. NAGORSKI (International Federation of Free Journalists) said that the Federation he represented set great hopes on the results of the Sub-Commission's work; its members were not professional diplomats, but experts determined that the cause of freedom of information should triumph throughout the world.

The Federation had come into being four years previously as a result of the suppression of freedom of information in certain parts of the world. It was composed of about 1000 Albanian, Bulgarian, Czech, Hungarian, Polish, Slovak, Romanian, Ukrainian, Estonian, Lithuanian and Yugoslav journalists who had had to leave their countries, and in some cases even their families, because they could no longer exercise their profession under the conditions existing. They were all living in Western Europe and in the United States and were collaborating in the publication of over 150 newspapers in the languages of their countries of origin. Until recently most of them had tried to remain at their posts and make the best of the increasingly difficult conditions imposed on the press. But they had been too faithful to the ideal of freedom of information, too accustomed to healthy competition and too deeply opposed to the method of dictating to journalists what they should write and forcing them to honour certain persons to be able to continue their work in their own countries. When an unruly mob, under the eyes of a complacent police, had begun to set fire to their newspapers, to destroy their printing presses and to threaten the journalists themselves, they had been forced to seek refuge elsewhere.

The Federation had regarded the Economic and Social Council's decision to grant it consultative status the previous year as an important step forward and a great honour. Its members were convinced that they could be of service to bodies such as the Sub-Commission since they came from countries in which terror reigned and from which no information reached the outside world freely.

With regard to his Federation's proposal that the Sub-Commission should set up an ad hoc committee to inquire into the situation of the press and organs of information throughout the world, the Federation was convinced that such an inquiry would reveal many cases of violation of freedom of the press

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so far unknown. It would help to evolve new methods of ensuring free flow of information to the peoples; it would give newspaper editors new impetus; and it would be a source of inspiration for young journalists. Moreover, it would enhance the prestige of the United Nations, as the decision to intervene in Korea had done. The Federation realized that its proposal was very bold, but boldness always commanded respect. The ad hoc committee would be able to study the evils at present besetting the press of the world, such as racial discrimination, the influence of big advertising, censorship, dictatorship and the complete subordination of journalists to the party in power. An international inquiry would have the further advantage of awakening the consciences of those who lived in countries where there was no freedom of information and of stimulating them to aspire to the same rights as more fortunate men enjoyed in other countries. It would thus provide a means of spiritual contact between the peoples. Cultural exchanges between men living in countries with different systems of government were precisely what was most lacking in the world today. Certain circles were sparing no effort to prevent any contacts of that kind and were using every possible method to that end, in particular, the indoctrination of young people. They were adapting historical facts to their doctrines, distorting the contents of school books, and preventing their peoples from keeping abreast of events outside their country. The committee, which the Federation was proposing should be set up, should not therefore confine itself to studying the conditions under which the journalist lived, but should also consider to what extent the suppression of freedom of information was having detrimental effect on the intellectual development of young people. It would also have to propose measures through which the press could contribute to a better knowledge of contemporary events. Lastly, it would have firmly to oppose the idea that journalist was synonymous with propagandist.

The effect of the proposed inquiry would thus be to expose all infringements of freedom of information, in whatever country committed. It was essential to the success of such an undertaking that the committee to which the inquiry was entrusted should have authority to enter the territory of every country and to study conditions there freely, without government interference. If the editors of newspapers were to assist it in its work,

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they must be assured that they would not have to answer to their governments for their co-operation once the committee had left the country. Obviously, all countries would not readily submit to such an inquiry. The International Federation did not seek to restrict the inquiry to the countries of Central and Eastern Europe. It had already had occasion to protest against the suspension of the newspaper La Prensa and would not hesitate to protest again if similar measures were taken in the Middle East or elsewhere. But it considered itself particularly entitled to give its views on the subject because, except for continental China, no geographical area had been more affected by totalitarian methods than the area it represented. The Federation's members had many friends who were in prison, whose newspapers had been converted into party organs and whose trade unions had been dissolved. The Federation was the mouthpiece of those who no longer enjoyed freedom of expression.

Independently of the inquiry into the moral conditions under which the press functioned in various countries, the Federation considered that the distribution of newsprint and the position of press unions should also be investigated. The extent to which governments, private interests and other parties intervened in the distribution and pricing of newsprint should be ascertained, as should the ability of journalists' unions to protect their members' rights. The Federation accordingly proposed that the problem should be treated as a whole and on a world-wide basis, having regard to the fact that freedom of information had long been a dead letter in its members' countries of origin. Among the unions which met the required conditions and enjoyed complete liberty was the American Newspaper Guild. That union, the communist members of which had been expelled in consequence of a decision taken by vote, was extremely active and courageously defended its members' interests. Such a body could only function in a free and democratic country, and that led the Federation to the view that the proposed committee should also study the social ideas current in the countries in which it was called upon to undertake an inquiry. The committee would undoubtedly be confronted with serious obstacles. Hitler would never have allowed an international

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committee to undertake an inquiry into the Nazi press and there was no reason to believe that a different attitude would be taken by countries in which theories similar to nazism prevailed under another name. The United Nations should not, however, hesitate to carry out the inquiry because of such difficulties, since the inquiry into forced labour provided a precedent for such action, and a successful one. Although some countries had refused to co-operate with the Committee on Forced Labour, it had nevertheless succeeded in making a thorough study of the question. It might be objected that an international inquiry on freedom of information would serve no purpose if the countries where such freedom was most lacking declined to co-operate, but the inquiry would still not be entirely useless. The few countries which might exclude the committee would in fact be indicating that conditions there were not entirely above suspicion. Some of them would be compelled to yield to the pressure of public opinion. In the very small minority of cases in which that was precluded by the absence of a public opinion, the United Nations could still find some means of obtaining an approximate and general idea of the situation. Members of the Federation of Free Journalists were prepared to give their loyal assistance in the proposed committee's work. Until recently the majority of them had been employed on their national publications. The Federation was well aware that freedom of information did not exist in any part of the world in an ideal form. But, whereas in democratic countries there was freedom to advocate the ideal, it was treated as a crime to do so in totalitarian regimes. That was why the Federation had asked permission to be heard by the Sub-Commission.

Mr. Nagorski concluded by giving a broad summary of the proposal to set up an international committee to inquire into freedom of the press throughout the world. If the proposal was adopted, the Federation would like to be assigned a special study in accordance with paragraph 31 of Economic and Social Council resolution 288 (X) of 27 February 1950. The Federation could assure the Sub-Commission forthwith that it was in a position to supply complete and objective information on conditions in the countries of origin of its members -- Albania, Bulgaria, Czechoslovakia, Estonia, Latvia, Lithuania, Hungary, Poland, Romania and Yugoslavia.

/The CHAIRMAN

The CHAIRMAN congratulated the representative of the International Federation of Free Journalists on his skilful presentation of his case; in connexion with his use of the term "totalitarian", he observed that that adjective could be applied equally well to several countries in the East, the West or the Middle East.

Mr. ZONOV said that he did not intend to join in the general debate on questions which were not within the competence of the Sub-Commission and which would need considerable time for examination. He would confine his comments to the subject of the Sub-Commission's future work. In view of the very general statements which had been made, however, he felt compelled to submit certain observations.

First, he would stress the point that Mr. Binder had only repeated the ideas which were usually expressed by United States representatives before United Nations organs. There was nothing new in the substance of his statement. He had spoken grandiloquently of the complete freedom which should prevail in the field of information. His real wish was to see the American press made free of all the media of information in order to extend its domination to all countries of the world, particularly those countries whose information services were still in a rudimentary stage.

Mr. Binder had then spoken of the obstacles to freedom of information, and had been careful not to mention that in his own country the press was owned by monopolies; he had also refrained from referring to advertising which was none the less a very important factor in the United States.

With regard to the Federation of Journalists, whose statement the Sub-Commission had just heard, it was a group of fascists expelled from their countries of origin because they had tried to maintain the yoke of the capitalists and landed proprietors. China had expelled journalists for the same reasons and now enjoyed full freedom. He did not wish to speak at greater length, but reserved the right to speak again later.

Mr. CHANG noted that Mr. Zonov was particularly skilled in the art of sophistry; anyone hearing him might think that his country was the only one which defended freedom of information. He wished to ask Mr. Zonov a few questions.

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At that moment there was showing at a New York cinema, in the very centre of the city, a film entitled "New China", produced by USSR experts in China. He wondered whether a similar state of affairs would be possible in the USSR or the satellite countries. Mr. Zanev had also alleged that China under the Kuomintang had enjoyed less freedom than at the present time. He wished formally to contradict that statement. During the war, weekly press conferences had been held at Chungking and had been attended by foreign press correspondents of all political opinions. The national regime had even tolerated the existence of a communist organ. It could not therefore be maintained that the regime had placed obstacles in the way of freedom of the press. At the present time, on the contrary, the only foreign press correspondents allowed in China were those of the Tass Agency. In such circumstances freedom of the press was non-existent.

The representative of the free journalists had asked for a committee of inquiry; without opposing that idea, he wondered if such an inquiry were really necessary, since the Sub-Commission had already heard the facts stated by Mr. Binder and by Mr. Nagorski himself. It would be better to ask the United Nations to condemn all the practices in question in all parts of the world where they were applied.

Mr. LOPEZ had listened with interest to Mr. Binder's statement; as a former journalist and a member of the Sub-Commission he regretted that he was unable to agree with all Mr. Binder's comments.

Replying first to Mr. Binder's comments on the Sub-Commission's work, he recalled the big part the Philippine delegation had played in connexion with freedom of information at the time of the 1946 General Assembly -- which had decided to convene an international conference on freedom of information -- and in subsequent years.

Referring to Mr. Binder's expression of disappointment at the results obtained and the time lost, Mr. Lopez wished to recall the constructive work the Conference on Freedom of Information had done; that work would serve as a permanent basis for all United Nations efforts in the field. Mr. Binder had also stressed the urgent nature of the work remaining to be done. Judging by

/his attitude

his attitude toward the code of ethics, however, it would appear that he himself would admit that the study of such questions at the international level was quite an innovation. He understood Mr. Binder's impatience, but would like to point out to him that some delay was inevitable before methods of international collaboration could be established between entirely differing countries and before such work could produce any appreciable results. He would therefore ask him to possess his soul in patience and to judge with indulgence the initial results the United Nations had obtained in that field. While regretting that the results were not more impressive, he refused to lay the blame on the Sub-Commission or on other United Nations bodies. The Sub-Commission had not met during the previous year because some of the States represented on the Council -- his own country was not among them -- appeared to be prejudiced against the Sub-Commission, and had so decided. The same Member States wanted to abolish the Sub-Commission. He saw no reason, in the circumstances, to shower spiteful criticisms upon the Sub-Commission and to blame it for having obtained so little result. For his part, he did not think that the time spent in studying those questions had been wasted; he was merely prepared to admit that satisfactory results could only be obtained by waiting until the political atmosphere had cleared a little.

Mr. Binder's attitude was itself the best proof that it was desirable to extend the Sub-Commission's mandate or to set up another similar organ.

It was worth while to recall that, although the Sub-Commission had been unable at its last sessions to take up the question of the adequacy of the news available to the peoples and of the obstacles to the free flow of information, it had spent much time studying the problem at its first session. Again, the United Nations Conference on Freedom of Information had considered in great detail the question of the "free flow of information" and had adopted many resolutions on the matter.

/Mr. Binder

Mr. Binder had emphasized censorship and all the kinds of restrictions imposed on the activities of foreign correspondents. While he agreed with Mr. Binder's comments, he wished to stress another aspect of the problem. The difficulties Mr. Binder had underlined were those confronting journalists in countries where the information media were highly developed. They were of a political nature, and were merely the result of current international tension. They could only be removed if international relations improved, whereas the purely physical obstacles were by far the most important for the under-developed countries. At the moment the under-developed countries lacked printing presses, receivers and transmitters and had no means of obtaining them. In view of the current market situation they were also unable to secure an adequate supply of newsprint. Mr. Binder had shown understanding on that point, but he was the spokesman of a country with highly developed information media and its main concern was constantly to increase the volume of news. The situation was quite different in the economically less favoured countries. They had much information to supply, but lacked the physical means of bringing it to the notice of the public. It was more important to give news to the peoples of India, who had neither newspapers nor radios, than to provide the inhabitants of the United States with even fuller news. The solution of the problem depended on the spirit of co-operation which the developed countries might be kind enough to show. Only through their assistance could the information media in the less favoured countries be improved. He was gratified to note that efforts had already been made in that direction. He felt that they should be increased in the future. He also paid a tribute to the work of UNESCO and to its anti-illiteracy campaigns in particular.

Mr. BINDER remarked that his statement of the previous day seemed to have caused some misunderstandings. He would try to remove them by explaining in detail his views on certain points which he had been obliged to deal with briefly to avoid extending his statement unduly. When he had referred to his disillusionment, and that of a large body of public opinion in his country, at the unsatisfactory results of the present session of the Sub-Commission's work, he had in no way intended to detract from the important work of the first session. The preparatory work for the Geneva Conference, thanks to the efforts of Mr. Lopez and his colleagues, had been the most useful and valuable achievement

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of the United Nations in the field of freedom of information. Again, when he had emphasized that the United States had been the pioneers in that field, he had not intended in any way to detract from the vital part played by the Philippine Government and the distinguished contribution of General Romulo in particular. He had been merely referring to the resolution adopted by the United States Congress as early as 1944 on the initiative of the American Society of Newspaper Editors. That resolution had requested all governments to consider ways and means of eliminating the obstacles to the free flow of information. The United States and the Philippines had, in that instance, shared the same anxiety, which again showed how close the two peoples were in their ideas.

To dispel any misunderstanding, he also explained that he had not consulted his Government before making his statement in the Sub-Commission. On the other hand, he had been in contact with many United States journalists and had expressed the disillusionment they felt on noting the meagre results of the Sub-Commission's work. That discontent was real and was becoming ever more widespread; it was creating an atmosphere of hostility to all the work the United Nations had done in that field. For example, a recent circular of the American Bar Association denounced the convention on the gathering and international transmission of news as an attack on the constitutional rights of United States citizens and requested the public authorities to reject it categorically. The same trends were becoming apparent in the American Society of Newspaper Editors. He personally was in favour of the convention, but he fully appreciated the attitude of the press in his country, although he regretted certain obviously exaggerated reactions. A number of his journalist colleagues sometimes actually looked upon him as a champion of internationalism and a stubborn idealist. At all events, it had been his duty to draw the Sub-Commission's attention to a real situation and to give it a serious warning of the possible outcome.

Before deciding on the approach of the United States representatives on the Economic and Social Council, his country's delegation had asked him whether he considered it necessary to continue the Sub-Commission. Confronted with the discontent of professional circles, he had had to admit in self-defence that it was better to terminate its activities. He was still convinced that that decision had served the cause of freedom of information and the higher interests

of the United Nations. But, if he felt that the Sub-Commission was adopting a more constructive approach to its work, he would, of course, be prepared to change his attitude accordingly.

He had refrained from raising the matter of the situation of the press in the USSR, although he had copious documentation on the subject. What he had wanted to bring out was that the United States was at the moment much less well informed on the situation in the USSR, China and certain countries of Eastern Europe than it had been twenty years before. He deplored that situation. The opportunity of sending correspondents to foreign States and of receiving comprehensive cables from them was, to his mind, an invaluable privilege. He had certainly not claimed, on behalf of the press agencies of his country, the right to send information to foreign newspapers which they did not wish to have. Mr. Zonov had therefore been wrong in accusing him of biased motives.

Finally, he wished to persuade his colleagues on the Sub-Commission that he had always endeavoured to take their respective opinions into account and that he had never underestimated the work which most of them had accomplished.

The CHAIRMAN stressed that there were many journalists and politicians in every country in the world who approached the great questions of principle in a spirit of bias or motivated by paltry opportunism. In that connexion, he quoted the case of the convention on the freedom of information, now rejected by a great majority of the world's governments and journalists, who had nevertheless warmly welcomed it at the beginning. But sooner or later principles triumphed and those who had stood alone in championing certain unpopular causes would eventually know the fruits of victory. Mr. Binder must not therefore be afraid to combat, as he had done in the past, the hostility of the professional circles in his country in order to defend the activities of the United Nations in the field of freedom of information and to give the Sub-Commission the opportunity of continuing the work which it had begun. Some day events would prove him right.

The meeting rose at 5.10 p.m.